

## **DECLARATION AND POWER OF ATTORNEY**

As a below-named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter, which is claimed and for which a patent is sought on the invention entitled **PROVIDER-ACTIVATED SOFTWARE FOR MOBILE COMMUNICATION DEVICES** the specification of which is attached hereto.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, Sections 1.56(a) and 1.56(b).

We hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

### **PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119(a)-(d) or 365(b):**

<b>COUNTRY (or PCT)</b>	<b>APPLICATION NUMBER</b>	<b>FILED</b>	<b>PRIORITY CLAIMED UNDER 35 U.S.C. §119(a)-(b) or 365(b)</b>
N/A	N/A	N/A	N/A

We hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional patent application(s) listed below:

<b>APPLICATION NUMBER</b>	<b>FILED</b>	<b>STATUS (PENDING OR ABANDONED)</b>
60/431,818	12/09/2002	Pending
60/455,244	03/17/2003	Pending

We hereby claim the benefit under Title 35, United States Code, § 120 or 365(c) of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112. We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATION OR PCT INTERNATIONAL APPLICATION(S)  
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. § 120 or 365(c):**

APPLICATION NUMBER	FILED	PRIORITY CLAIMED UNDER 35 U.S.C. §119(a)- (b) or 365(b)
N/A	N/A	N/A

**POWER OF ATTORNEY**

As the named inventors, we hereby appoint the attorneys and/or agents associated with Hale and Dorr LLP, **CUSTOMER NUMBER 23483**, to prosecute the above-identified application and transact all business in the U.S. Patent and Trademark Office connected therewith.

Send all correspondence to:

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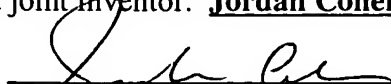
Eric L. Prahl  
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Wherefore we petition that letters patent be granted to us for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of **first** and joint inventor: **Jordan Cohen**

Inventor's signature



Date 26 Nov 2003

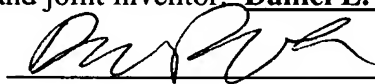
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Full name of **second** and joint inventor: **Daniel L. Roth**

Inventor's signature



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